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HIGH COURT OF CHHATTISGARH, BILASPUR**M.Cr.C.(A) No. 883 of 2018**

Dulichand S/o Late Shri Mohanlal Aged About 55 Years Caste Prajapati, R/o Madna, P.S. Gaurela, Bilaspur Chhattisgarh, District : Bilaspur, Chhattisgarh.

---- Applicant**Versus**

State Of Chhattisgarh Through P.S. Gaurela, Bilaspur Chhattisgarh, District : Bilaspur, Chhattisgarh.

---- Respondent**And****M.Cr.C.(A) No. 900 of 2018**

Revati Raman Singh Paikara S/o Shri Guman Singh Paikara Aged About 30 Years R/o Village Sarbahra, P. S. Gourela, Dist. Bilaspur Chhattisgarh Presently At Masturi Tehsil Masturi Dist. Bilaspur Chhattisgarh, District : Bilaspur, Chhattisgarh.

---- Applicant**Vs**

State Of Chhattisgarh Through P. S. Gourela, District Bilaspur Chhattisgarh, District : Bilaspur, Chhattisgarh.

---- Respondent

For the Applicants	:	Shri B.P. Sharma, Shri Raza Ali and Shri Ritesh Verma, Advocates.
For the Respondent	:	Shri Anupam Dubey, Dy. G.A.

Hon'ble Shri Justice Rajendra Chandra Singh Samant**ORDER****29.08.2018**

Heard.

1. Both these applications are being decided by this common order as they arise from the similar incident. These are the first bail applications under Section 438 of Cr.P.C. filed by the applicants for grant of anticipatory bail, who are apprehending arrest in connection with Crime No.152 of 2018 (which is wrongly mentioned as Crime No.158 of 2018) registered at Police Station – Gaurela, Bilaspur, District Bilaspur, Chhattisgarh for the offence

punishable under Sections 420, 467, 468 and 471/ 34 of the Indian Penal Code.

2. Learned counsel for the applicants submits that the applicants have been falsely implicated in this case. Applicant – Dulichand in M.Cr.C.(A) No.883 of 2018 is a land broker whereas, applicant – Revati Raman Singh Paikara in M.Cr.C.(A) No. 900 of 2018 is a Patwari, Circle Gaurela. Both of them are not involved in the commission of offence in any manner and the case is not based on any evidence. Hence, it is prayed that the applicants in both the cases are entitled for grant of anticipatory bail.

3. Learned State counsel opposes the bail application and the submissions made in this respect. It is submitted that according to the allegation made by the complainant and the witnesses both these applicants are equally involved in the commission of offence. Hence, the applicants are not entitled for grant of anticipatory bail.

4. Heard counsel for both the parties and perused the case diary.

5. Father of complainant – Sarodhan Singh had expired in the year 2013. It is alleged that co-accused – Krupal Singh, brother of the complainant with the help of applicants – Dulichand and Revati Raman Singh Paikara has sold out the land belonging to father of the complainant fraudulently and by impersonation to one Sunita Chourasiya on 5.8.2015.

6. After due consideration of all the material present in the case-diary, I feel inclined to grant anticipatory bail to the applicants in both the cases.

7. Accordingly, the bail applications filed by the applicants in both the cases under Section 438 of the Cr.P.C. are allowed.

8. It is directed that in the event of arrest of the applicants in both the cases in connection with the aforesaid offence, they shall be released on bail by the Officer arresting them on executing a personal bond in sum of Rs.25,000/- with one surety in the like sum to the satisfaction of the concerned Investigating Officer. They shall also abide by the following conditions:

- '(i) that the applicants shall make themselves available for interrogation before the Investigating Officer as and when required;
- (ii) that the applicants shall not, directly or indirectly, make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade them from disclosing such facts to the Court or to any police officer;
- (iii) that the applicants shall not act, in any manner, which will be prejudicial to fair and expeditious trial; and
- (iv) that the applicants shall appear before the trial Court on each and every date given to them by the said Court till disposal of the trial.'

Sd/-
(Rajendra Chandra Singh Samant)
Judge